

January Sixth

20-----04

The regular January Meeting of Council was held on the above date at 7:00 p.m. in the Council Chambers located on the Fourth floor of the Municipal Building. The following Council Members were present: Ruby B. Archie, P. A. “Pete” Castiglione, Jr., E. Stokes Daniels, Jr., Mayor John C. Hamlin, T. David Luther, Albert K. “Buddy” Rawley, Jr., Sherman M. Saunders, H. Phillip Smith, and Vice-Mayor R. Wayne Williams, Jr. (9).

Staff members present were City Manager Jerry L. Gwaltney, Deputy City Manager M. Lyle Lacy, III, Interim City Attorney W. Clarke Whitfield, Jr., Finance Director Aubrey D. Dodson, Budget Director Cynthia L. Thomasson, Legislative and Public Affairs Director Todd M. Yeatts, and Clerk of the Council Annette Y. Crane, CMC.

Other Staff members present were Transportation Services Director Marc Adelman, Economic Development Director Ron Bunch, Deputy Director of Finance Barbara Dameron, Public Works Director Rick Drazenovich, Human Services Director Gwendolyn Edwards, Parks, Recreation and Tourism Director John Gilstrap, Information Technology Director Kerry Goode, Assistant City Manager for Utilities Joe King, Fire Chief B. G. Lewis, Human Resources Director Andrea Witt, and Emergency Services Director Doug Young.

Mayor Hamlin presided.

### **INVOCATION AND PLEDGE OF ALLEGIANCE**

Council Member Buddy Rawley offered the invocation. The Pledge of Allegiance to the Flag followed.

### **ANNOUNCEMENTS AND SPECIAL RECOGNITIONS**

Mayor Hamlin recognized City School’s Career and Technical Education Program Coordinator Jackie Rochford. Ms. Rochford reported to Council Members that the career and technical education is an essential component to a comprehensive K-12 education program for a number of reasons. She advised that only 12.4% of Danville adults have a bachelor’s degree or higher and only 57.4% of adults possess a high school diploma or higher. The career and education program assists students by teaching the value of education, goal setting, and work ethics that are essential for completing high school and entering post secondary education. She said many parents, for various reasons, are unable to provide the support necessary for instilling these values.

Following a review of the various components offered by the program, Mayor Hamlin commended Ms. Rochford for efforts put forth in the education of City students. He said the

program was an important tool that complements the City's economic development efforts, which includes keeping the City's future leaders in Danville.

## **COMMUNICATIONS FROM VISITORS**

- Bert Sellers requested that property located at 2003 South Boston Road be zoned as Highway Retail-Commercial (HR-C). Mr. Sellers said the Planning Commission had recommended the property be zoned as such, but during the December 16, 2003 Council Meeting, Council Members had voted to make the property Suburban-Residential (S-R).

Mayor Hamlin requested that City Manager Gwaltney and the Planning staff meet with Mr. Sellers to have this matter resolved.

Council Member Daniels requested that the matter be placed on a future Council Agenda for further consideration by City Council. Vice-Mayor Williams requested that Scott Jarrett, who made the request to have the HR-C designation be notified that there would be further discussion by Council relating to this matter.

Travis Hackworth, currently a college student in South Carolina, but born and raised in Danville, presented two renderings of his vision for future development along the Worsham Street Bridge and Riverfront district in Danville. He reviewed several ideas, which included a convention center and new city auditorium constructed completely over the river on a steel deck with concrete supports constructed 25 feet into the riverbed. Mr. Hackworth said his vision also included a 600,000 sq. ft. shopping district containing upscale restaurants and hotels that would create approximately 3,500 new jobs upon opening. Following the presentation, Mayor Hamlin, Vice-Mayor Williams, and Council Member Castiglione commended Mr. Hackworth for his excellent foresight. Mr. Castiglione said he had been informed that Mr. Hackworth would be returning to Danville for employment following his graduation from college.

Rev. Cecil Bridgeforth appeared to express concerns about safety for Dan-Chem employees who are presently on strike at the company. He recalled that several years ago, there was a chemical accident there and Rev. Bridgeforth was seeking assurance that there were adequate safety precautions in place to protect the employees.

City Manager Gwaltney said there is presently coordination between the City and Pittsylvania County public safety officials to ensure the safety of the striking workers. Mr. Gwaltney agreed to follow up on this issue.

Mayor Hamlin thanked Rev. Bridgeforth for bringing his concerns to City Council.

## **MINUTES**

Upon Motion by Council Member Daniels and second by Council Member Smith, Minutes of the December 16, 2003 Council Meeting were approved as presented. Draft copies had been distributed to Council Members prior to the Meeting.

## **BUDGET ADOPTION-FY 2003-04-HOMELAND SECURITY GRANT**

Upon Motion by Council Member Castiglione and second by Council Member Rawley, Ordinance No. 2003-12.02 presented by its First Reading on December 16, 2003 amending the Fiscal Year 2003-2004 Budget Appropriation Ordinance to provide for a grant in the amount of \$150,172 from the Office of Domestic Preparedness State Homeland Security Grant Program to equip first responders to have better preparedness to combat and deal with terrorist acts involving weapons of mass destruction was adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

## **AUTHORIZE 10% INCREASE FOR INTERIM CITY ATTORNEY WHITFIELD**

Council Member Smith moved the adoption of a Resolution entitled:

### RESOLUTION NO. 2004-01.01

A RESOLUTION AUTHORIZING A TEN PERCENT INCREASE IN COMPENSATION FOR W. CLARKE WHITFIELD, JR. WHILE ACTING AS INTERIM CITY ATTORNEY.

The Motion was seconded by Council Member Rawley and adopted by the following vote:

VOTE: 9-0  
AYE: Archie, Castiglione, Daniels, Hamlin, Luther, Rawley, Saunders,  
Smith, and Williams (9).  
NAY: None (0).

## **BUDGET AMENDMENT-FY 2003-04-FEMA & U.S. FIRE ADMINISTRATION**

Upon Motion by Council Member Archie and second by Council Member Smith, an Ordinance entitled:

## ORDINANCE NO. 2004-01.01

AN ORDINANCE AMENDING THE FISCAL YEAR 2003-2004 BUDGET APPROPRIATION ORDINANCE TO PROVIDE FOR A GRANT IN THE AMOUNT OF \$213,260 FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) AND THE UNITED STATES FIRE ADMINISTRATION TO INSTALL VEHICLE EXHAUST REMOVAL SYSTEMS IN EACH OF THE CITY FIRE STATIONS

was presented by its First Reading, as required by City Charter, to lie over before final adoption.

## **CABLE FRANCHISE - CITY & ADELPHIA CABLE COMMUNICATIONS**

Vice-Mayor Williams moved the adoption of an Ordinance entitled:

## ORDINANCE NO. 2004-01.02

AN ORDINANCE APPROVING AND AUTHORIZING THE EXECUTION OF A CABLE FRANCHISE AGREEMENT BETWEEN THE CITY OF DANVILLE, VIRGINIA AND THREE RIVERS CABLE ASSOCIATES, L.P., D/B/A ADELPHIA CABLE COMMUNICATIONS RELATING TO PROVIDING CABLE SERVICES TO THE CITY OF DANVILLE.

Council Member Castiglione seconded the Motion.

City Manager Gwaltney said there had been negotiations on the cable contract for over two years. He said he was aware that Council would have preferred to enter into the contract with the ability to control cablevision rates and other matters, but federal deregulation laws prevented such. Mr. Gwaltney felt the ten-year, non-exclusive contract was reasonable for both the City and Adelphia Cable. The City realizes approximately \$550,000 from the 5% cable franchise fee. He said that by and large, the city walked away with the best agreement available according to federal guidelines. He encouraged everyone to contact his or her legislators in Washington about the federal deregulation laws.

Council Member Archie said she had received complaints about the present cable rates. She asked City Manager Gwaltney to reiterate that Council Members have no control over the cost of cable.

Council Members Rawley and Saunders voiced their frustration about the rising cost of cable service. Mr. Saunders said he had also received complaints from citizens. He said he hoped

Adelphia was aware of their concerns and would do what was in the best interest of the community.

Council Member Luther said the cablevision company does not give the City any money because cablevision consumers pay the 5% franchise fee. The fee is tacked on to the monthly bill. Mr. Luther felt the city administration had done a great job with negotiating what could be negotiated. He said when Adelphia went bankrupt, there was a lot of scandal surrounding the company and he morally objected to doing business with a company that treated everyone poorly.

Council Member Smith said the problem with rising costs would continue until there is local competition. Mr. Smith said the service component in the company had completely disappeared. Approximately 90% of customer services across the state had been cut and Mr. Smith said that Adelphia clearly understood they could do what they wished and no one could put a stop to it. He said Senate Bill 150, which is presently before the Senate in Washington, would prohibit the State and Local taxation of all Internet providers, if passed. He said there is proposed legislation in the State of Virginia this month that would completely replace all local telephone and cable taxes. State legislators would decide how the localities would make up the lost revenue. He said the cablevision industry did not mind going bankrupt, raising its rates and cutting costs, but would go to any lengths to see that the industry is not held accountable to any regulations. Mr. Smith said he would not support the franchise agreement.

Vice-Mayor Williams said there was no question that most of the time it was good to eliminate or restrict government involvement in businesses. He said deregulation was meant to introduce competition with an expected decrease in rates, but the cablevision industry had accomplished just the opposite. There is a charge from the City to attach cable to our utility poles. That charge is passed on to the consumer. Any profits for the company go into the shareholders pockets and are not passed on to the consumer.

Dr. Williams said there is one good thing in the agreement before Council. There is an agreement in the contract that will require the cable company to help keep citizens informed of important public issues. He said to not support the agreement would give up any control Council has, which is to keep the public informed about vital issues that affect their everyday lives.

Council Member Castiglione felt it was important to give citizens the option for cable. For Council Members to say no, citizens would not be given that choice. Mr. Castiglione said although he knew that rates were excessive, he would not feel comfortable in leaving his constituency without a choice. He said there is one other alternative down the road and the City is investigating the possibility of having its own cable system.

Council Member Daniels said if the people do not like the product or the price, they could make

the decision not to purchase it. Mr. Daniels said cablevision is not a necessity of life. Mr. Daniels believes the City has the best agreement that could be made under the circumstances. He said the non-exclusive agreement allows other companies to come into the area and as he understood it, the City cannot go out and seek others to come in. If a new company were to come in, it would have to agree to the same contract as Adelphia.

The Ordinance was adopted by the following vote:

VOTE: 7-2  
AYE: Archie, Castiglione, Daniels, Hamlin, Rawley, Saunders,  
and Williams (7).  
NAY: Luther, and Smith (2).

### **STATUS REPORT-LEGISLATIVE ACTIVITIES-GENERAL ASSEMBLY**

Legislative Liaison and Public Affairs Director Todd Yeatts said that on a conservative estimate, \$635,000,000 is the shortfall for the coming State budget. Depending upon whom one believes and what one reads, Mr. Yeatts said the figure has been quoted as high as \$4 billion for the biennium. The proposed budget is to be the main item in the upcoming General Assembly session. Another item is the tax-restructuring plan. Mr. Yeatts said these two issues would dominate the general assembly session the year. To date, there have been almost 500 pieces of legislation submitted with the filing deadline a little over two weeks away. One thing to keep in mind is that the governor's proposed budget is tied directly to the governor's proposed tax restructuring. The expenditures of the budget rely on tax restructuring.

Mr. Yeatts reported there will be funding for the Institute, although short of what was hoped for. State Senator Hawkins will be proposing an increase to \$3,000,000 per year. There is also increased education funding for K-12 of \$700,000,000. There is an increase of 599 monies for Police Departments of \$36,000,000. The Comprehensive Services Act will get \$7,000,000 and an increase in economic development funds for distressed areas that will help the City of Danville.

On the shortfall side of the proposed budget, the 599 funding has increased by \$36,000,000 will restore funds to the level in 2003. It does not bring localities up to the current standings tied to the General Fund by statute that it should be. Local reimbursements for jails are \$13,000,000 short. Most significantly, the budget cuts over \$500,000,000 from the State's share of routine costs for public education.

Referring to the group of 13 cities, collectively known as First Cities, the City will experience a \$2.5 Million shortfall because of the restructuring. Mr. Yeatts said the proposed budget is both

good and bad for the locality.

Mr. Yeatts advised that a reduction in the food sales tax is proposed, which would go from 4% to 3% in 2004, an increase in the non-food item tax from 4.5% to 5.5% and a phase-out of the car tax is also proposed.

Mr. Yeatts felt this year's general assembly session would be a lengthy one.

Mayor Hamlin and Council Member Castiglione commended Mr. Yeatts for the great work he is doing and especially his work with the Tobacco Commission. Mayor Hamlin requested that Council Members be kept informed throughout the general assembly session.

### **STATUS REPORTS ON DEPARTMENTAL CIP PROJECTS**

Transportation Services Director Marc Adelman reported that the Danville Regional Airport is one of the top general aviation airports in the region. In order to maintain that status, the facilities must be kept in the best operating condition possible. Significant improvements have been made to one of the hangars since 1999. The hangar is leased to General Aviation, Inc. and it is used for general maintenance purposes.

Emergency Services Director Doug Young reported that the Emergency Operations Centers would soon undergo a facelift with new state-of-the-art equipment. The bids have been received and the bid awarded for installation of the new equipment.

Fire Chief B. G. Lewis advised there were two projects underway: Vehicle and pumper apparatus replacements. The bids came in under budget and delivery is expected on June 27, 2004. The up-to-date equipment will keep the City's ISO rating in line by replacing equipment on a timely basis. The Regional Fire Training Center, which was a joint project with Pittsylvania County, had three components: Build an open, shell-type building with storage facilities, curb, gutter, and pave the facility, and put in a pump test system. The building is complete and the curb, gutter and pump system construction is underway. Chief Lewis said the target date for completion is the last week of March, which is the week the State Regional Training School gets underway.

Human Service Director Gwendolyn Edwards advised that her department had been involved in an aggressive renovation program since City Manager Gwaltney arrived in Danville. A major project was to re-pipe the Adult Detention facility in order to place the pipes above ground. Ms. Edwards said it was difficult to find leaks prior to the replacement. During the past six months, an air conditioning system has been installed in the administrative offices at the facility. She reported that a new roof had been installed.

Information Technology (IT) Director Kerry Goode reported that the ERP Phase I is going well. The project began in December 2002 and staff is at the 13-month point. The system was purchased to replace an obsolete Legacy System that had been utilized for the past 30 years. The Implementation Team is experiencing growing pains in that the system has a few glitches that need to be ironed out. Mr. Goode said he felt the glitches would be resolved.

Deputy City Manager Lacy said he could not have asked for a better Implementation Team. Mr. Gwaltney said the project was taxing the Financial Staff to the very nth degree and that concerned him.

Council Member Luther commended the IT Department for the excellent newsletter the group recently published. Mr. Luther said he appreciated the tips contained in the letter that had helped him greatly.

Parks, Recreation, and Tourism Director John Gilstrap advised that the Dan Daniel Park infield had received a new drainage system, a new slope system and new sod. Stadium seats will be installed in March or completed before April 1. The seats are wider and offer more legroom. Mr. Gilstrap said approximately 70 of the original seats were eliminated in order to provide for the wider seating. Mr. Gilstrap said some paving had been completed and stadium fencing is in the process of being improved. When all improvements have been completed, the stadium will be the best in the Appalachian League. He said there would be limited play for the first year on the new infield, although teams that have used the field in the past would be accommodated. There will be no additional games played on the new field until next year. Mr. Gilstrap said the Parks and Recreation Leagues might be moved to Market Garden.

Mr. Gilstrap further advised that renovations to the GWHS tennis courts had been completed and renovations to the Ballou Park Playground are being reviewed presently. The Wynne's Fall Trail had been completed, but due to the hurricane, there are repairs that will need to be redone. The Long Mill Trail Connector Project is being planned and the completion date is expected to be May 2005. M. C. Martin Playground is progressing well and will be completed in this fiscal year. The J. W. Squire Armory has been 50% completed, which includes new goals and flooring.

Mr. Gilstrap reported that due to rainy weather during spring and summer months, receipts from the Carrington Pavilion performances were not what had been hoped for. He advised that a company had been hired to bring in talent as well make arrangements for security and the pavilion will be rented to the company. Mr. Gilstrap informed Council Members that this arrangement would not interfere with the regular activities at the pavilion.

Public Works Director Rick Drazenovich reported on cemetery improvements and various public works projects. He advised that there is a great deal of city infrastructure and there are projects



going on all over the city. The roads at Highland Burial Park and Oak Hill Cemetery have been resurfaced and are in very good condition. Drainage has been installed in Oak Hill and Mountain View Cemeteries. Cemeteries will continue to be a priority for Public Works. Sanitary sewers have been completed on Holland Road and the road will be repaved this summer. Currently work is going on at Pinecrest Sanitary Sewer on the far end of Westover Drive. The next project is the Kentuck Road Sanitary Sewer at Riverside, which will service Kentuck Road and the shopping centers in that area. Street surfacing through the VDOT Maintenance Program is about 80% complete. The Cyber Park Slayton Avenue project was inspected today and is looking very good. The Martin Luther King, Jr. Memorial Bridge is opened and is facilitating traffic in both directions while the old bridge is being repaired. An obsolete bridge over the Sandy River at Value City is being upgraded. Robertson Bridge is currently under design with no funds approved for construction.

Mr. Drazenovich advised the Franklin Turnpike project would be discussed in a citizens' information meeting on January 13. Right-of-way acquisition has begun and construction will begin in 2006. The Franklin Turnpike connector project has no funds appropriated for construction, although right-of-way acquisition is currently underway. The Southwest bypass is being completed on the south end of the bypass.

A recent program undertaken was the enforcement of the Junkyard Ordinance. Of the forty-one locations subject to the Ordinance, over half have been or are ready for licensing. Five are making progress and another six have been summoned to court. Mr. Drazenovich reported that there are five remaining to be acted on. He reported that all projects are within budget.

Assistant City Manager for Utilities Joe King reported on various utility projects. Mr. King said the projects would cost several million dollars to complete. He said each utility had a strategic plan and each has a theme of reliability, safety and economic development.

Mr. King reviewed each utility as follows:

#### Electric System

##### CyberPark :

High reliability equipment ordered; installation this summer

##### Pinnacles Power Generation Station:

Pipeline replacement specifications ready to issue in January

Generator Rewind contract complete. Units will be removed and replaced during pipeline construction.

##### Substation Section:

- Brantley Substation construction complete
- Rock Springs Transformer installation complete (Intertape)
- Maintenance at all other substations
- New SCADA equipment has been installed
- Transmission line work

Engineering Section:

- GIS field data collection progressing and on schedule.
- Field engineering on the "Priority 1" feeders.

Broadband:

- MAN engineering design complete
- Construction contractor selected and work will begin during January 2004
- Electronics purchased and will be delivered during January 2004
- Internet purchasing coalition

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Water & Gas

Camp Grove water and gas replacement

- Joint project -- Community Development and Public Works Project began March 10, 2003 -- completed on Oct. 23
- Replaced over 8,000 ft. of gas main and 161 gas customer service lines
- Over 5,000 ft of water main and 100 water customer service lines. Project Cost was \$534,452.00

Gas Pipeline Replacement Phase V --

- Multi-year project to replace cast iron and metal gas lines within the City's distribution system is expected to be completed by June 1, 2004.
- Approximately 49,000 ft. of gas main and 900 gas customer service lines.
- Also included approximately 3,915 ft. of water main and 80 water customer service lines.
- Estimated project cost -- \$1,385,646.00.

Water and Gas Extensions to Unserved Areas --

(Completed approximately 1,100 ft of water and gas mains in E 58 area on Shaw Drive and Crystal Lane at a cost of \$19,828. Completed extending approximately 600 ft. of water and gas on the newly constructed section of Trade Street at an estimated cost of \$12,192. Now designing approximately 600 ft. of water and gas extension on Oak Lane.

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Water Treatment Plant & Wastewater Treatment Plants

Water Treatment Plant Phase I Improvements

- Project construction cost \$3 million

- Completion date May 15, 2003
- Approximately 60% complete

#### Rehabilitation of Ballou Park Booster Pump Station

- In process of hiring consultant to do design
- Anticipated cost - \$ 100,000

#### Add Third Pump to Dan River Booster Pump Station

- In process of hiring consultant to do design
- Anticipated cost \$ 40,000

#### Northside Wastewater Treatment Plant Cooling Tower Replacement

- Consultant hired
- Anticipated cost \$140,000

#### Northside Wastewater Treatment Plant Transformer Replacement Project

- Advertised for bids to be received on January 15, 2004
- Anticipated cost \$ 150,000.

Mayor Hamlin thanked Department Directors for the updates and expressed appreciation for all the time and energy spent in preparing the reports.

### **COMMUNICATIONS**

- City Manager Gwaltney advised the City would host a joint meeting with the Pittsylvania County Board of Supervisors on Tuesday, January 27. Time and place would be announced.

There were no communications from the Deputy City Manager, Interim City Attorney and City Clerk.

### **ROLL CALL**

Council Members extended Happy New Year wishes to everyone.

- Council Member Archie expressed appreciation to the administration for arranging bus service at Ingram Heights. Mrs. Archie announced that the GWHS band had performed at the Orange Bowl on New Years Day. She welcomed Interim City Attorney Clarke Whitfield aboard and thanked Travis Hackworth for his excellent presentation.

Mrs. Archie advised that Dr. Jim Hamlin had passed away yesterday. Dr. Hamlin was an integral

part of the Free Clinic of Danville for ten years. She said both the patients and the workers at the clinic would sorely miss him.

Council Member Castiglione said the coming year would be a very exciting one. There are many organizations preparing for fundraisers, including the Free Clinic and the Danville Museum of Fine Arts and History. Mr. Castiglione advised the Danville Board of Realtors is preparing for its annual meeting, which will be held on Saturday evening. He expressed appreciation to local businessmen who were attending the Council Meetings. Mr. Castiglione said he was glad to see anyone take an interest in local government.

Mayor Hamlin welcomed Mr. Whitfield to the meeting. He extended condolences to the family and friends of Dr. Jim Hamlin.

Council Member Luther said he looked forward to the coming year as many great things are happening in the City.

Council Member Saunders expressed appreciation to Travis Hackworth and City Department Heads for their presentations during the meeting.

Council Member Smith advised that at the end of June 2003, the City had decreased the amount of bond indebtedness for the General Fund by almost \$8 million. He said by the end of the present fiscal year, the city's bonded debt will be at a low not seen since 1994.

Mr. Smith commended retired Customer Service Director Mack Doss for his years of faithful service to the City. Mr. Doss retired in December 2003.

Mr. Smith said the Utility Commission had voted to participate with the Blue Ridge Power Agency (BRPA), which is the buying group that includes eight other municipal utilities in Virginia. The group participates in buying electricity from Cinergy, which has been very advantageous to the City. The BRPA will participate with the American Municipal Power of Ohio, Inc., which is in the business of generating power. The group has coal-fired electric generation facilities and is considering building a very large generating facility in their service area within the next three or four years. BRPA and the City of Danville will participate with American Municipal Power in a feasibility study that may lead to Danville and BRPA having a stake in the new power generating facility. Coal-fired generation is the least expensive of all electric generating processes.

Mr. Smith advised that as of December 31, 2003, the Employees Retirement Fund topped \$160,000,000, which is the first time in almost two years.

Vice-Mayor Williams said Council Members had spent a lot of time, when Mrs. Archie was Mayor, developing a vision plan for the City. Dr. Williams said Council had followed the plan and lots of things have been happening. He said there had been a lot of development around the City and an overall change in attitude among Danville citizens and businesses. Dr. Williams felt there would be many benefits from staying with the vision.

The Meeting adjourned at 10:00 P.M.

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MAYOR

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CLERK